

07-28eb

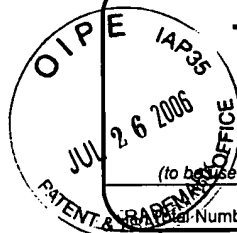
1 fu

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/678,720
Filing Date	October 3, 2003
First Named Inventor	Robert C. Lam
Art Unit	1771/Conf. #6119
Examiner Name	Arden B. Sperty
Attorney Docket Number	01168/BW00076

Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Copy of Office Action mailed 7/19/06
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Emch, Schaffer, Schaub & Porcello Co., L.P.A.		
Signature	<i>Patrick P. Pacella</i>		
Printed name	Patrick P. Pacella		
Date	July 26, 2006	Reg. No.	25,463

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Kathy A. Burgess</i>		
Typed or printed name	Kathy A. Burgess	Date	7/26/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



01168/BW00076

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Robert C. Lam
Serial No: 10/678,720
Filed: October 3, 2003
For: FRICTION MATERIAL CONTAINING PARTIALLY
CARBONIZED CARBON FIBERS

Exr. Arden B. Sperty
Art Unit: 1771
Confirmation No.: 6119

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

July 26, 2006

PETITION

Sir:

In response to the Office Communication mailed July 19, 2006, attached, Applicant is requesting a refund for the Request for Continued Examination fee in the amount of \$790.00 in the above captioned matter. Please credit the refund to our deposit account in the name of Owen & Owen, number: 15-0825.

Respectfully submitted,

EMCH, SCHAFFER, SCHAUB
& PORCELLO CO., L.P.A.

Patrick P. Pacella
Reg. No. 25,463

P.O. Box 916
Toledo, Ohio 43697
Ph: (419) 243-1294
Fax (419) 243-8502